

ASLA VII

It had occurred about August. Norman Journey was not arrested until January. Shortly after the arrest, the two people who perpetrated the robbery—one named Petty, one named Emory—were arrested and identified. They had tied the people in the chairs.

Shortly after that, Petty tried to kill Norm Journey. Let me finish. This is all public information, Mr. Reed.

Then after that Petty killed Emory, near Little Rock, Ark. They had taken this jewelry and sold half of it to a man whose name I believe was McMillan, who owned the Hilton Hotel in there, in Little Rock. He was the son of the chairman of Central Soya Corp.

After they sold part of it to McMillan, they chartered a plane from police officers who ran a chartering company and flew to Shreveport, La. where they are alleged to have sold the remainder to the top Mafia man.

Shortly after that, the Little Rock police assassinated Petty. They shot him 12 times with a shotgun, as he came out of the store. All right.

Then Norman Journey was not arrested with him for several months. Petty and Emory were living with two girls.

Mr. REED. Pardon me.

Judge RANDALL. Well, this ties in—O'Hara—and I can't tell it without it. We are getting right down to the end of it to tell.

So these two girls, according to the reports, had been taken by Petty and Emory to case the place about a month before, on their way they visited Richard O'Hara. So, when they told their story, Richard O'Hara was charged in a State charge with accessory to the robbery along with the two girls.

It was later nolle prossed. The suspicions were that Richard O'Hara was the informant. So Russell Byers came to me—

Mr. BLAKEY. Judge, this is the informant in the jewelry robbery case?

Judge RANDALL. Right. Russell Byers came to me, and this was public information, and asked me is Richard O'Hara the informant in this case. I said I don't know. I said why do you want to know. He said well, I have been questioned by an FBI agent about something and I think only Richard O'Hara knows.

Mr. BLAKEY. Just a second, Judge. Could we pinpoint when this conversation between Mr. Byers and you was?

Judge RANDALL. The best I can tell you it was during my representation. My best recollection is that proceeded from January of 1973 until about August of 1973, sir. That is the best. You know, I can't pinpoint these things.

Mr. BLAKEY. Just your best recollection.

Judge RANDALL. So when we met at the Gianinos, he immediately started in with Richard O'Hara.

Now, you see, I gave this no thought, but there is certain things about the story, and I may be wrong, you know. It is only my opinion. You gentlemen have got to reach your own. I am not trying to influence yours.

But here he comes to me sometime in 1974 and says the story is somewhere, and he wants legal advice. I think that it is a good possibility that he told that story to O'Hara thinking if I am questioned about it, I will know he is the informant because he was

dealing with this matter these other things.

Now, you asked the not trying to sell it to

Mr. BLAKEY. You hope that speculation back in May of 1974?

Judge RANDALL. I heard to you. I don't know.

Mr. BLAKEY. Did I really that would lead O'Hara as the informant?

Judge RANDALL. Oh

Mr. BLAKEY. He wrote story about Dr. King.

Judge RANDALL. So whether O'Hara was going with him if he was with him.

Mr. BLAKEY. Let me the record is on this

It is your belief that as an informant for King offer story, hoping with Mr. Byers himself the ploy, Mr. Byers informant. Is that that

Judge RANDALL. Do with this committee

Mr. REED. It shows Blakey, that it is or phrase of what he says of Judge Randall's.

Judge RANDALL. And opinion.

Mr. BLAKEY. Perhaps if you and I discuss

Judge RANDALL. Mr. BLAKEY. OK.

You had known Mr. BLAKEY.

Judge RANDALL. Mr. BLAKEY. Specifically?

Judge RANDALL. Mr. BLAKEY. Did contact with him to or maybe native sh

Mr. REED. At this object. I think that the area from which matter could be expected.

As a result, I think this collateral material was prepared, and I am

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dealing with this man, you understand. He wasn't worried about  
these other things.

Now, you asked the basis of my opinion. I gave it to you. I am  
not trying to sell it to you.

Mr. BLAKEY. You have no specific information that would sup-  
port that speculation as to why Byers told you the Sutherland offer  
back in May of 1974?

Judge RANDALL. I have no information except what I have relat-  
ed to you. I don't know whether you call that specific or general.

Mr. BLAKEY. Did Mr. Byers ever indicate to you anything specific-  
ally that would lead you to conclude that he was trying to identify  
O'Hara as the informant?

Judge RANDALL. Oh, he told me he did identify him. Oh, yes.  
Mr. BLAKEY. He was trying to identify it by telling O'Hara the

story about Dr. King.  
Judge RANDALL. Sir, what he was trying to find out if he could,  
whether O'Hara was an informant because he wanted to quit work-  
ing with him if he was an informant. He wanted to quit dealing  
with him.

Judge RANDALL. Let me see, Judge, if I can clarify somewhat what  
the record is on this story.

It is your belief that Mr. Byers was trying to identify Mr. O'Hara  
as an informant for the FBI by planting with Mr. O'Hara the Dr.  
King offer story, hoping that the FBI would check the O'Hara story  
with Mr. Byers himself, and if Mr. O'Hara and the Bureau fell for  
the ploy, Mr. Byers could then identify Mr. O'Hara as an FBI  
informant. Is that the essence of it?

Judge RANDALL. Yes. That is all in my belief. It has nothing to  
do with this committee.

Mr. REED. It should be clearly identified as such, I think, Mr.  
Blakey, that it is only an opinion. I think it is an accurate para-  
phrase of what he said. But it must be characterized as an opinion  
of Judge Randall's.

Judge RANDALL. I think that is what Mr. Blakey says, my belief  
and opinion.

Mr. BLAKEY. Perhaps, Judge, the committee might find it useful  
if you and I discuss that opinion. Would you mind?

Judge RANDALL. I have discussed all I know about it.

Mr. BLAKEY. OK.

You had known Mr. Byers for some years, hadn't you?

Judge RANDALL. No.

Mr. BLAKEY. Well, I mean you had some contact with him peri-  
odically?

Judge RANDALL. I didn't know him very well.

Mr. BLAKEY. Did you have an opportunity while you did have  
contact with him to make a judgment about his basic intelligence  
or maybe native shrewdness?

Mr. REED. At this point, Professor Blakey, I am going to have to  
object. I think that the questioning has now ranged far afield from  
the area from which substantive evidence with respect to this  
matter could be expected to derive.

As a result, I think that the further questioning with respect to  
this collateral matter is inappropriate. I don't think the judge has  
prepared, and I am certainly not prepared to advise him as to the